

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

(State)

Case number (if known): \_\_\_\_\_ Chapter 11☐ Check if this is an amended filing

## Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Creative BGRS. Inc. d/b/a Burger King
2. All other names debtor used in the last 8 years f/k/a Creative Foods Corp. d/b/a Burger King  
 Include any assumed names, trade names, and *doing business* as names \_\_\_\_\_
3. Debtor's federal Employer Identification Number (EIN) 1 3 3 3 7 0 1 4 5
4. Debtor's address
- |  |   |
|--|---|
| <p>Principal place of business</p> <p><u>273 Canal Street</u><br/>         Number Street</p> <p><u>New York</u> <u>NY 10013-3515</u><br/>         City State ZIP Code</p> <p><u>New York</u><br/>         County</p> | <p>Mailing address, if different from principal place of business</p> <p>_____<br/>         Number Street</p> <p>_____<br/>         P.O. Box</p> <p>_____<br/>         City State ZIP Code</p> <p>Location of principal assets, if different from principal place of business</p> <p>_____<br/>         Number Street</p> <p>_____<br/>         City State ZIP Code</p> |
|--|---|
5. Debtor's website (URL) \_\_\_\_\_
6. Type of debtor ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify: \_\_\_\_\_

Creative BGRS. Inc. d/b/a Burger King

Debtor

Name

Case number (if known)

## 7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

\_\_\_\_\_

## 8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☒ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

## 9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY

If more than 2 cases, attach a separate list.

## 10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
District \_\_\_\_\_ When \_\_\_\_\_  
Case number, if known \_\_\_\_\_ MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor Creative BGRS. Inc. d/b/a Burger King  
Name

Case number (if known) \_\_\_\_\_

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.  
What is the hazard? \_\_\_\_\_
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other \_\_\_\_\_

Where is the property? \_\_\_\_\_

Number Street

City

State

ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000   | <input type="checkbox"/> 25,001-50,000     |
| <input type="checkbox"/> 50-99           | <input type="checkbox"/> 5,001-10,000  | <input type="checkbox"/> 50,001-100,000    |
| <input type="checkbox"/> 100-199         | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999         |  |  |

15. Estimated assets

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000                     | <input type="checkbox"/> \$1,000,001-\$10 million    | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000               | <input type="checkbox"/> \$10,000,001-\$50 million   | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000              | <input type="checkbox"/> \$50,000,001-\$100 million  | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion        |

Debtor Creative BGRS. Inc. d/b/a Burger King  
Name

Case number (if known) \_\_\_\_\_

16. Estimated liabilities

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> \$0-\$50,000                     | <input type="checkbox"/> \$1,000,001-\$10 million    | <input type="checkbox"/> \$500,000,001-\$1 billion     |
| <input type="checkbox"/> \$50,001-\$100,000               | <input type="checkbox"/> \$10,000,001-\$50 million   | <input type="checkbox"/> \$1,000,000,001-\$10 billion  |
| <input type="checkbox"/> \$100,001-\$500,000              | <input type="checkbox"/> \$50,000,001-\$100 million  | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input checked="" type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion        |

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/3/2016  
MM / DD / YYYY

/s/ Thieng V. Pham

Signature of authorized representative of debtor

Thieng V. Pham

Printed name

Title President

18. Signature of attorney

/s/ Scott A. Griffin

Signature of attorney for debtor

Date 10/3/2016

MM / DD / YYYY

Scott A. Griffin

Printed name

Griffin Hamersky LLP

Firm name

420 Lexington Avenue, Suite 400

Number Street

New York

City

NY

State

10170

ZIP Code

(646) 998-5575

Contact phone

sgriffin@grifflegal.com

Email address

4594081

Bar number

NY

State

## EXHIBIT A

**Fill in this information to identify the case and this filing:**

Debtor Name Creative BGRS, Inc. d/b/a Burger King  
United States Bankruptcy Court for the: Southern District of New York  
(State)  
Case number (If known): \_\_\_\_\_

**Official Form 202**

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration Corporate Ownership Statement

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/03/2016  
MM / DD / YYYY

 /s/ Thieng Pham  
Signature of individual signing on behalf of debtor

Thieng Pham  
Printed name

President  
Position or relationship to debtor

**GRIFFIN HAMERSKY LLP**

420 Lexington Avenue, Suite 400

New York, New York 10170

Telephone: (646) 998-5580

Facsimile: (646) 998-8284

Scott A. Griffin

Michael D. Hamersky

David M. Smith

Proposed Counsel for the Debtor  
and Debtor in Possession

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
In re: : Chapter 11  
:  
CREATIVE BGRS. INC. D/B/A BURGER KING, :  
:  
Debtor.<sup>1</sup> : Case No. 16-\_\_\_\_\_( )  
:  
-----X

**CORPORATE OWNERSHIP  
STATEMENT OF CREATIVE BGRS. INC. D/B/A  
BURGER KING PURSUANT TO FEDERAL RULE OF  
BANKRUPTCY PROCEDURE 1007(a)(1) AND 7007.1  
AND LOCAL RULE OF BANKRUPTCY PROCEDURE 1007-3**

Pursuant to Rule 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure for the Southern District of New York, and to enable the Judges to evaluate possible disqualifications or recusals, on behalf of Creative BGRS. Inc. D/B/A Burger King (the "Debtor"), the undersigned authorized officer represents as follows:

**A. Ownership of the Debtor's Equity Interests.**

1. Thieng V. Pham owns 100% of the stock of the Debtor.

**B. The Debtor's Ownership of Equity Securities, Partnership Interests and Joint Venture Interest.**

1. The Debtor does not directly or indirectly own 10% or more of any class of equity interests in any corporation whose securities are publicly traded. The Debtor does not own an interest in any general or limited partnerships or joint ventures.

<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 0145.

## **EXHIBIT B**



**Fill in this information to identify the case and this filing:**

Debtor Name Creative BGRS, Inc. d/b/a Burger King  
United States Bankruptcy Court for the: Southern District of New York  
(State)  
Case number (If known): \_\_\_\_\_

**Official Form 202**

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**


I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration Creditor Matrix

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/03/2016  
MM / DD / YYYY

 /s/ Thieng Pham  
Signature of individual signing on behalf of debtor

Thieng Pham  
Printed name

President  
Position or relationship to debtor

(The Debtor intends to update this list following the commencement of the case)

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact
1 Great Canal Realty Corp.	Great Canal Realty Corp. c/o Steven T. Gee, P.C. 121 Chrystie St. New York, NY 10002 T (212) 334-8838 F (212) 732-1043 E steven.stgpc@gmail.com
2 Burger King Corporation	Burger King Corporation 5505 Blue Lagoon Dr., 8th Fl. Miami, FL 33126 Attn: Jeff Grill T (305) 378- 3766 F (305) 378-3502
3 American Express Business c/o Zwicker & Associates, P.C.	American Express Business c/o Zwicker & Associates, P.C. 80 Minuteman Rd. Andover, MA 01810-1008 Attn: John Glazebrook T (877) 368-4531 F (978) 686-3538
5 Consolidated Edison Company of New York, Inc.	Consolidated Edison Company of New York, Inc. 4 Irving Place New York, NY 10003-0987 Attn: Thomas Reid T (212) 460-2097 F (212) 677-5850 E reidth@coned.com
6 AAA Electronics Services	AAA Electronics Services 218-10 Hillside Ave. Queens Village, NY 11427 T (718) 526-4848 F (347) 426-9109
7 Bank of America Business Card	Bank of America Business Card Bank of America, N.A. Legal Order Processing/Christiana IV 800 Samoset Dr. Newark, DE 19713 T (800) 432-1000
8 Nationwide	Nationwide One Nationwide Plaza Columbus, OH 43215-2220 T (800) 882-2822
9 City of New York Environmental Control Board	City of New York Environmental Control Board PO Box 2339 Peck Slip Station New York, NY 10272-2339 T (844) 628-4692 F (212) 361-1900
10 HCD Architect	HCD Architect Attn: Tim Hao 65-30 108 St. Ste. 3A Forest Hills, NY 11375 T (718) 459-5926 F (718) 459-5926 E hcdarchitect@gmail.com
11 Rochdale Insurance Company	Rochdale Insurance Company 800 Superior Ave. E., 21st Fl. Cleveland, OH 44114 T (800) 438-0160

LIST OF CREDITORS  
Pg 11 of 22  
(The Debtor intends to update this list following the commencement of the case)

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact
12 MUZAK LLC	MUZAK LLC c/o Corporate Creations Network Inc. 3411 Silverside Rd. # 104 Rodney Building Wilmington, DE 19810 T (800) 426-1600
13 Restaurant Technologies, Inc.	Restaurant Technologies, Inc. 2250 Pilot Knob Rd., Ste 100 Mendota Heights, MN 55120 T (888) 796-4997 F (651) 379-4082 customercare@rti-inc.
14 Coca-Cola Refreshments USA, Inc.	Coca-Cola Refreshments USA, Inc. c/o Corporation Service Company 505 5th Ave. Ste 729 Des Moines, IA 50309 T (770) 989-3000 F (770) 989-3640
15 Time Warner Cable	Time Warner Cable c/o CT Corporation System 111 Eighth Ave., 13th Fl. New York, NY 10011 T (866) 892-4249
16 Ecolab USA Ecosure	Ecolab USA Ecosure 370 N. Wabasha St. St. Paul, MN 55012-2233 T (866) 326-7871 F (630) 305-2856 E maryhelen.harkis@ecolab.com
17 Sicom Systems, Inc.	Sicom Systems, Inc. 4344 Progress Meadow Doylestown, PA 18902 T (215) 489-2500 F (215) 489-2769 E mhare@sicom.com
18 NuCO2	NuCO2 2800 SE Market St. Stuart, FL 34997 T (800) 472-2855, Option 2 F (772) 220-4752 E credit@nuco2.com
19 Ameritech Systems Corporation	Ameritech Systems Corporation 127-03 20th Ave. Ste 2B College Point, NY 11356 T (718) 353-0477 F (718) 353-4468 E ameritechsystems@gmail.com
20 Verizon c/o Sunrise Credit Services, Inc.	Verizon c/o Sunrise Credit Services, Inc. 260 Airport Plaza Farmingdale, NY 11735-9100 Attn: Chris Matthews T (844) 705-0291 F (631) 501-8534

## EXHIBIT C

Fill in this information to identify the case and this filing:

Debtor Name Creative BGRS, Inc. d/b/a Burger KingUnited States Bankruptcy Court for the: Southern District of New York  
(State)

Case number (if known): \_\_\_\_\_

## Official Form 202

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration \_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/03/2016  
MM / DD / YYYY

✕

/s/ Thieng Pham

Signature of individual signing on behalf of debtor

Thieng Pham  
Printed name

President  
Position or relationship to debtor

<b>Fill in this information to identify the case:</b>	
Debtor name:	<u>Creative BGRS, Inc. d/b/a Burger King</u>
United States Bankruptcy Court for the Southern District of New York	
Case number (If known):	

Official Form 204

## Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured Claim
1 Great Canal Realty Corp.	Great Canal Realty Corp. c/o Steven T. Gee, P.C. 121 Chrystie St. New York, NY 10002 T (212) 334-8838 F (212) 732-1043 E steven.stgpc@gmail.com	Lease	Disputed			\$192,420.00
2 Burger King Corporation	Burger King Corporation 5505 Blue Lagoon Dr., 8th Fl. Miami, FL 33126 Attn: Jeff Grill T (305) 378- 3766 F (305) 378-3502	Trade Debt	Disputed			\$106,619.38
3 American Express Business c/o Zwicker & Associates, P.C.	American Express Business c/o Zwicker & Associates, P.C. 80 Minuteman Rd. Andover, MA 01810-1008 Attn: John Glazebrook T (877) 368-4531 F (978) 686-3538	Credit Card				\$13,269.97
5 Consolidated Edison Company of New York, Inc.	Consolidated Edison Company of New York, Inc. 4 Irving Place New York, NY 10003-0987 Attn: Thomas Reid T (212) 460-2097 F (212) 677-5850 E reidth@coned.com	Utilities				\$11,344.53
6 AAA Electronics Services	AAA Electronics Services 218-10 Hillside Ave. Queens Village, NY 11427 T (718) 526-4848 F (347) 426-9109	Professional Services				\$2,791.98
7 Bank of America Business Card	Bank of America Business Card Bank of America, N.A. Legal Order Processing/Christiana IV 800 Samoset Dr. Newark, DE 19713 T (800) 432-1000	Credit Card				\$2,370.58
8 Nationwide	Nationwide One Nationwide Plaza Columbus, OH 43215-2220 T (800) 882-2822	Insurance				\$2,131.80
9 City of New York Environmental Control Board	City of New York Environmental Control Board PO Box 2339 Peck Slip Station New York, NY 10272-2339 T (844) 628-4692 F (212) 361-1900	Fine				\$2,000.00

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim if the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured Claim
10	HCD Architect	HCD Architect Attn: Tim Hao 65-30 108 St. Ste. 3A Forest Hills, NY 11375 T (718) 459-5926 F (718) 459-5926 E hcdarchitect@gmail.com	Professional Services				\$2,000.00
11	Rochdale Insurance Company	Rochdale Insurance Company 800 Superior Ave. E., 21st Fl. Cleveland, OH 44114 T (800) 438-0160	Insurance				\$1,500.00
12	MUZAK LLC	MUZAK LLC c/o Corporate Creations Network Inc. 3411 Silverside Rd. # 104 Rodney Building Wilmington, DE 19810 T (800) 426-1600	Trade Debt	Disputed			\$1,287.29
13	Restaurant Technologies, Inc.	Restaurant Technologies, Inc. 2250 Pilot Knob Rd., Ste 100 Mendota Heights, MN 55120 T (888) 796-4997 F (651) 379-4082 customercare@rti-inc.	Trade Debt				\$1,115.70
14	Coca-Cola Refreshments USA, Inc.	Coca-Cola Refreshments USA, Inc. c/o Corporation Service Company 505 5th Ave. Ste 729 Des Moines, IA 50309 T (770) 989-3000 F (770) 989-3640	Trade Debt				\$1,088.35
15	Time Warner Cable	Time Warner Cable c/o CT Corporation System 111 Eighth Ave., 13th Fl. New York, NY 10011 T (866) 892-4249	Utilities				\$846.95
16	Ecolab USA Ecosure	Ecolab USA Ecosure 370 N. Wabasha St. St. Paul, MN 55012-2233 T (866) 326-7871 F (630) 305-2856 E maryhelen.harkis@ecolab.com	Professional Services				\$560.00
17	Sicom Systems, Inc.	Sicom Systems, Inc. 4344 Progress Meadow Doylestown, PA 18902 T (215) 489-2500 F (215) 489-2769 E mhare@sicom.com	Trade Debt				\$509.19
18	NuCO2	NuCO2 2800 SE Market St. Stuart, FL 34997 T (800) 472-2855, Option 2 F (772) 220-4752 E credit@nuco2.com	Trade Debt				\$431.29
19	Ameritech Systems Corporation	Ameritech Systems Corporation 127-03 20th Ave. Ste 2B College Point, NY 11356 T (718) 353-0477 F (718) 353-4468 E ameritechsystems@gmail.com	Trade Debt				\$381.96

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured Claim
Verizon c/o Sunrise Credit Services, 20 Inc.	Verizon c/o Sunrise Credit Services, Inc. 260 Airport Plaza Farmingdale, NY 11735-9100 Attn: Chris Matthews T (844) 705-0291 F (631) 501-8534	Utilities				\$310.93



## EXHIBIT D

**Fill in this information to identify the case and this filing:**

Debtor Name Creative BGRS, Inc. d/b/a Burger King  
United States Bankruptcy Court for the: Southern District of New York  
(State)  
Case number (if known): \_\_\_\_\_

**Official Form 202**

**Declaration Under Penalty of Perjury for Non-Individual Debtors**

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**Declaration and signature**

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets--Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule \_\_\_\_\_
- ☐ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☒ Other document that requires a declaration List of Equity Security Holders

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 10/03/2016  
MM / DD / YYYY

X /s/ Thieng Pham  
Signature of individual signing on behalf of debtor

Thieng V. Pham  
Printed name

President  
Position or relationship to debtor

**GRIFFIN HAMERSKY LLP**

420 Lexington Avenue, Suite 400

New York, New York 10170

Telephone: (646) 998-5580

Facsimile: (646) 998-8284

Scott A. Griffin

Michael D. Hamersky

David M. Smith

Proposed Counsel for the Debtor  
and Debtor in Possession

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In re: : Chapter 11  
: :  
CREATIVE BGRS. INC. D/B/A BURGER KING, :  
: Case No. 16-\_\_\_\_\_( )  
Debtor.<sup>1</sup> :  
: :  
-----X

**LIST OF EQUITY SECURITY HOLDERS PURSUANT  
TO RULE 1007(a)(3) OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Name and Last Known Address of Equity Interest Holder	Kind of Interest	Number of Interests Held
Thieng V. Pham	Ownership interest	100%

<sup>1</sup> The last four digits of the Debtor's federal tax identification number are 0145.

## EXHIBIT E

**ACTION BY CONSENT OF THE PRESIDENT OF  
CREATIVE BGRS. INC., D/B/A BURGER KING.  
DATED AS OF OCTOBER 3, 2016**

The undersigned, Thieng V. Pham (the "President"), president of Creative BGRS. Inc., d/b/a Burger King, a New York corporation (the "Corporation"), acting pursuant to and in accordance with the laws of the state of New York, and the Certificate of Incorporation, hereby consent to, adopt and approve the following resolutions:

WHEREAS, the President has reviewed the materials regarding the liabilities and liquidity situation of the Corporation, and the impact of the foregoing on the Corporation's business, and the strategic alternatives available to the Corporation; and

WHEREAS, the President has had the opportunity to consult with the legal advisors of the Corporation and fully consider each of the strategic alternatives available to the Corporation.

I. Voluntary Petition Under the Provisions of Chapter 11 of Title 11 of the United States Code

NOW, THEREFORE, BE IT RESOLVED, that in the judgment of the President, it is desirable and in the best interests of the Corporation, its creditors and other parties in interest, that the Corporation file or cause to be filed a voluntary petition for relief (the "Chapter 11 Case") under the provisions of chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"); and be it

FURTHER RESOLVED, the President is authorized, empowered, and directed to execute and file, on behalf of the Corporation, all petitions, schedules, lists and other motions, papers or documents, and to take any and all action that they deem necessary or proper to obtain such relief, including, without limitation, any action necessary to maintain the ordinary course operation of the Corporation's business; and be it

FURTHER RESOLVED, that the President hereby is authorized and directed to employ the law firm of Griffin Hamersky LLP as general bankruptcy counsel to represent and assist the Corporation in carrying out its duties under the Bankruptcy Code, and to take any and all, actions to advance the Corporation's rights and obligations, including filing any pleadings; and in connection therewith, the President is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to and immediately upon filing of the Chapter 11 Case and cause to be filed an appropriate application for authority to retain the services of Griffin Hamersky LLP; and be it

FURTHER RESOLVED, that the President be, and they hereby is, authorized and directed to employ any other professionals to assist the Corporation in carrying out its duties under the Bankruptcy Code; and in connection therewith, the President is hereby authorized and directed to execute appropriate retention agreements, pay appropriate retainers prior to or immediately upon the filing of the Chapter 11 Case and cause to be filed an appropriate application for authority to retain the services of any other professionals as necessary.

II. Further Actions and Prior Actions

FURTHER RESOLVED, that all acts, actions and transactions relating to the matters contemplated by the foregoing resolutions done in the name of and on behalf of the Corporation, which acts would have been approved by the foregoing resolutions except that such acts were taken before the adoption of these resolutions, are hereby in all respects approved and ratified as the true acts and deeds of the Corporation with the same force and effect as if each such act, transaction, agreement or certificate had been specifically authorized in advance by resolution of the President of the Corporation and that the Authorized Party did execute the same.

**IN WITNESS WHEREOF**, the undersigned President of the Corporation has executed this Written Consent effective as of the date first set forth above.

/s/ Thieng V. Pham  
Thieng V. Pham, President